

Minutes  
Catawba County Board of Commissioners  
Regular Session, Monday, June 17, 2002, 7:00 p.m.

**Appointments**

Voting Delegate and Alternate for July 2002 NACo Conference	359	06/17/02
Tax Department	359	06/17/02
Mental Health Services of Catawba County	360	06/17/02
Piedmont Wagon Transportation Committee for Persons with Disabilities	360	06/17/02
CVCC Board of Trustees	360	06/17/02
Public Health Board	360	06/17/02

**Codification of County Laws**

Amendment to Catawba County Code, Chapter 515, Campground/Recreational Vehicle Parks	349	06/17/02
--	-----	----------

**Guests**

Lewis Woods, Candidate Glenn Barger, and Hickory Public Schools representatives Jean Yoder, Sarah Talbert, and Nancy Meeks	352	06/17/02
Rev. Joel Cherry urged Board to adopt resolution supporting income tax deduction for firefighters and rescue squad workers	359	06/17/02

**Historical Association**

Catawba County Historical Association's request for Transportation Enhancement (TEA-21) Funding	360	06/17/02
---	-----	----------

**Ordinances**

No. 2002-03, Amend County Code, Chapter 515, Campground/ Recreational Vehicle Parks	350	06/17/02
---	-----	----------

**Planning and Development**

Road names for unnamed streets located in Clines, Caldwell and Mt. Creek Townships	342	06/17/02
Rezoning request of James A. Schronce and Shirley S. Schronce to rezone a 9.15 acre tract and a 0.94 acre tract from R-2 to E-2 Industrial	342	06/17/02
Rezoning request of Laban William Helderman to rezone a 14.17 acre tract from R-2 Residential to Planned Development- Shopping Center Community District (PD-SC)	347	06/17/02
Amendment to Catawba County Code, Chapter 515, Campground/Recreational Vehicle Parks	349	06/17/02
Catawba County Historical Association's request for Transportation Enhancement (TEA-21) Funding	360	06/17/02

**Public Hearings**

Road names for unnamed streets located in Clines, Caldwell and Mt. Creek Townships	342	06/17/02
Rezoning request of James A. Schronce and Shirley S. Schronce to rezone a 9.15 acre tract and a 0.94 acre tract from R-2 to E-2 Industrial	342	06/17/02
Rezoning request of Laban William Helderman to rezone a 14.17 acre tract from R-2 Residential to Planned Development- Shopping Center Community District (PD-SC)	347	06/17/02
Amendment to Catawba County Code, Chapter 515, Campground/Recreational Vehicle Parks	349	06/17/02

**Resolutions**

No. 2002-14 State Transportation Enhancement Funding for Improvements to the Bunker Hill Covered Bridge	360	06/17/02
No. 2002-15 Supporting income tax deductions for firefighters and rescue squad workers	361	06/17/02
Call for public hearing for resolution levying the third one-half cent Local Government Sales and Use Tax at the July 8, 2002 meeting	362	06/17/02

**Schools**

Recommendations of the Catawba County Citizens Advisory Committee for School Facilities	352	06/17/02
---	-----	----------

The Catawba County Board of Commissioners met in regular session on Monday, June 17, 2002, 7:00 p.m., at the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chairman W. Steve Ikerd, Vice-Chair Marie H. Huffman, and Commissioners Katherine W. Barnes and Dan A. Hunsucker.

Absent: Barbara G. Beatty.

A quorum was present.

Also present were County Manager/Deputy Clerk J. Thomas Lundy, Deputy County Manager Steven D. Wyatt, Assistant County Manager Mick W. Berry, County Attorney Robert Oren Eades, and County Clerk Thelda B. Rhoney.

1. Chairman Ikerd called the meeting to order at 7:00 p.m.
2. Invocation was offered by Commissioner Huffman.
3. Commissioner Barnes made a motion to approve the minutes from special sessions of May 9, May 23, May 24, May 30, 2002, and minutes from regular session of June 3, 2002. The motion carried unanimously.
4. Public Hearings:
  - a. Proposed road names for unnamed streets located in Clines, Caldwell, and Mt. Creek Townships.

E-911 Coordinator Connie P. Killian said there were three streets that needed to be named. A petition was received by property owners to name a street located off Stafford Street in Clines Township. This street serves four parcels of land with three existing residences located on them. The petition was signed by all four property owners requesting the name of Lara Ln. This petition was found to be valid according to County's regulation, so staff recommended the name of Lara Ln for this unnamed street. The Planning Board recommended Lara Ln for this unnamed street.

A request was received by property owner, Mr. Donald Banner, to name an unnamed street located off S Oliver's Cross Road in Caldwell Township. Mr. Banner owns three of the five properties along this street. There are two additional property owners located along this unnamed street. These property owners were notified, but no response was received from either one. As this is a useable road name, and the fact Mr. Banner owns three of the five lots this street serves, it meets County criteria for naming a street. E-911 staff recommended the proposed name of Banner Tree Farm Rd. The Planning Board recommended Banner Tree Farm Rd for this unnamed street.

A petition was received by property owners along an unnamed street located in Mt. Creek Township off S NC 16 Hwy. There are five property owners and four are in agreement for the proposed name of WA Woodard Dr. This petition was found to be valid in accordance with County regulations, so staff recommended WA Woodard Dr for this unnamed street. The Planning Board recommended WA Woodard Dr for this unnamed street.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

There being no one wishing to speak, Chairman Ikerd closed the public hearing.

Commissioner Hunsucker made a motion to approve the three aforementioned recommended road names for unnamed streets in Clines, Caldwell and Mt. Creek Townships. The motion carried unanimously.

- b. A rezoning request of James A. Schronce and Shirley S. Schronce to rezone a 9.15 acres tract and a 0.94 acres tract from R-2 Residential to E-2 Industrial. This property is located in the Clines Township at 5830 N NC 16 Hwy and 2300 Recycling Road in Conover, NC; being parcels I.D. 3755-18-20-8570 and 3755-18-30-0896.

Assistant Planner Rich A. Hoffman said the applicants were requesting to rezone two (2) tracts, one approximately 9.15 acres and the other approximately 0.94 acres, from R-2 Residential to E-2 Intensive Manufacturing (Industrial). This property is located in the Clines Township at 5830 N NC 16 Hwy and 2300 Recycling Rd in Conover, NC. It is further identified with Parcel I.D. numbers 3755-18-

20-8570 and 3755-18-30-0896. The properties to the east, south, and west of these properties are zoned R-2 Residential with some being residentially developed. Property to the north of these tracts are zoned R-2 Residential and E-2 Industrial. Four tracts near the intersection of Highway 16 and Springs Road, in close proximity to the subject properties, are zoned C-1 Commercial. The subject properties are zoned R-2 Residential. NC Highway 16 is designated as an existing major thoroughfare in the Hickory-Newton-Conover Urban Area Transportation Plan (September 2001). Major thoroughfares are identified as primary traffic arteries and their principal function is to carry traffic through the areas in which they are located. The 1999 traffic count near the intersection of Springs Road (State Road #1517) and Highway 16 was 10,000 vehicle trips per day. The Transportation Plan calls for a carrying capacity of 13,700 vehicle trips per day for this area of Highway 16. He said the *VisionQuest 2010: Catawba County's Comprehensive Plan* designates this area as a "Rural Area." Rural Areas consists of farmland, open spaces and residential areas with the lowest development density. Limited public water or sewer extensions or major road improvements are planned for Rural Growth Management Areas during the life of this Plan. Public water stops just south of this property at the intersection of Shell Hollar Road and Highway 16.

The following Land Use & Development policies apply to this request:

- Policy 1.15 Address compatibility between land uses when making land use decisions.
- Policy 1.16 Mitigate possible adverse impacts of new development through the use of screening and buffering.
- Policy 1.41 Industrial development shall be located on land suitable for such uses with access to adequate public services (especially water, sewer, roads and garbage disposal).
- Policy 1.42 Industrial uses shall be located on major or minor arterials, thoroughfares and suitable collectors, based on traffic-carrying capacity.
- Policy 1.43 Heavy industrial uses shall be completely separated from all existing or planned non-industrial uses by natural features, major transportation facilities or other suitable means.
- Policy 1.45 New industrial development of all kinds shall be encouraged to locate in planned industrial parks.
- Policy 1.48 Ensure that nonresidential sites are designed to include adequate buffering, parking and open space.

A recommendation for rezoning would be based upon all potential uses allowed in the E-2 zoning district.

The following are items supporting staff recommendation for this rezoning request.

The Catawba County Zoning Ordinance, Section 515.024 E-2 [Intensive Manufacturing] (Industrial) District states: "The E-2 District is intended to provide areas for intensive manufacturing, processing and assembly uses, controlled by performance standards to limit the effect of such uses on adjacent districts."

Vision Quest 2010, the current comprehensive land use plan for the County, specifies the following policies supporting this request:

- Policy 1.15 Address compatibility between land uses when making land use decisions. Rezoning would be expanding an existing E-2 district.
- Policy 1.16 Mitigate possible adverse impacts of new development through the use of screening and buffering. Policy 1.48 Ensure that nonresidential sites are designed to include adequate buffering, parking and open space. Currently the property is partially screened where it abuts adjoining residential uses. The property owner has agreed in writing to replace any missing trees.
- Policy 1.41 Industrial development shall be located on land suitable for such uses with access to adequate public services (especially water, sewer, roads and garbage disposal). There are public water lines in close proximity to this area and they could be expanded to support additional industrial uses if they are reviewed and approved by the appropriate agencies.
- Policy 1.42 Industrial uses shall be located on major or minor arterials, thoroughfares and suitable collectors, based on traffic-carrying capacity. Highway 16 is a major thoroughfare abutting this property and has capacity to accommodate additional traffic created by an industrial use in this area.

Additionally, the Land Use Plan from the St. Stephens/Oxford Small Area Planning Committee has not been adopted thus far. However, this Committee has been made aware of this request and agrees with the recommendation to rezone the properties to E-2.

Based on the noted items, staff recommends rezoning the parcels from R-2 Residential to E-2 Intensive Manufacturing (Industrial).

Mr. Hoffman said the Planning Board conducted a public hearing on April 29, 2002. There were ten (10) people who spoke at the public hearing, and two (2) letters submitted to the Board, against the request. There were three (3) people who spoke in favor of the request. The major issues brought up by the public against the request included:

- Claims of mosquitoes, rats and snakes as a result of existing junk yard.
- Claims of oil, kerosene and gasoline smells from junk yard and contamination of well water.
- Claims of decreased property values from abutting property owners.

Major issues brought up by the public in favor of the request included:

- Claims that the existing salvage business complies with all guidelines.
- Claims that the County needs expanded facilities to handle salvage vehicles.

Mr. Hoffman said at the public hearing the Planning Board voted 5 to 4 against the request. The major issues that the Planning Board brought up against the request included:

- Hwy 16 is an important artery in Catawba County and an industrial use such as a salvage yard would detract from the area.
- Two (2) parcels identified by #7 and #8 would be completely impacted by the request. Property #2 and property #9 would also be largely impacted.
- Request has been denied three times in the past.
- Public opposition to request.

The major issues that the Planning Board brought up in favor of the request included:

- The request was in line with staff recommendation.
- The expansion of the existing district could be a benefit to the County.
- The petitioners made good representations regarding the efficient operation of a salvage yard.
- Impact of use is already evident on abutting properties.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

Carolyn Stewart, 2276 Recycling Road, Conover, said she owned Lots 7 and 8 and opposed the rezoning because she would be surrounded. She said she was there first and was concerned about her property value.

Alice Kiziah, 2234 Recycling Road, said she owned Lot 2 and opposed the rezoning. She said she was there before the junkyard. She was concerned about her property value.

Tim Lail, 2179 Kirby Street, west of Lot 13. He said he opposed the rezoning.

Crystal Broyhill, a general certified real estate appraiser, said she was asked by some of the property owners to not discuss property value but to remind the Board of the appraisal principles that applies to all of the properties. The principle of extraneous influences, paraphrased simply states that outside influences do affect the value of properties. It can be a positive or negative impact depending on the type of influence. She said hazardous materials do have a negative impact on properties and junkyards have a negative impact on properties. It would further destroy the value of the surrounding properties to expand the junkyard.

Lucy S. Lail said she opposed the rezoning.

Larry Harrington, said he lived at Lot 9 and he said he opposed the rezoning. He said this rezoning has been turned down three times in the past.

David Hedrick, Chief, Oxford Fire Department, spoke in favor of the rezoning. He said the fire department depends on Mr. Schronce to provide cars for burn/extrication/extinguishment training.

Barbara Kiziah Powell, said she was Alice Kiziah's daughter, and she said she opposed the rezoning.

Jerry Turner, 2468 Eagle Drive, Conover spoke in favor of the rezoning. Mr. Turner said he was in the used car business and purchases recycled parts from Mr. Schronce. He said Mr. Schronce pays his taxes, provides a business and a product for a reasonable price and provides jobs for this county.

Vickie Keller, 5831 Highway 16, she owns Lot 12. Ms. Keller said she opposed the rezoning.

Bruce Hartsoe, Assistant Chief of Claremont Rescue Squad, said he didn't know Mr. Schronce on a personal level but did know him on a professional level. Mr. Schronce provides multiple cars for rescue squad training. Mr. Hartsoe spoke in favor of the rezoning.

Brenda Brotherton, 465 Crystal Street, Claremont, said she was in favor of the rezoning. She said Mr. Schronce owns a recycling business not a junkyard or salvage yard. She is employed by Mr. Schronce and said they were out of space and needed the property rezoned.

Jaretta Harrington, owner of Lot 9, opposed the rezoning.

Jeff Kiziah, said the property in question was once owned by the Oxford Fire Department and at one time the department was going to build on that property. He said Mr. Schronce bought the property with the intent to build a house and nothing was said about the intent to build a business on the property. Mr. Kiziah opposed the rezoning.

Ronnie Schronce, 2958 Shell Hollar Road. He said he grew up on the property that has been requested for rezoning. He said their business is legal and they don't cut corners or try to hide anything from anyone. He invited the Commissioners to come out for a visit at any time.

There being no one else wishing to speak, Chairman Ikerd closed the public hearing.

Commissioner Huffman asked Mr. Hoffman how the property was zoned when Mr. Schronce bought the property from the Oxford Fire Department?

Mr. Hoffman said his history goes back to 1979, the first time the property owner requested rezoning and county zoning came into place in 1974. Mr. Hoffman said he thought it might have been zoned R-1 residential.

County Attorney Robert Oren Eades said the property was operated as a salvage yard as a nonconforming use prior to adoption of zoning by the county. In 1990 the board rezoning the property to E-2. That was the third time it had been before the Planning Board or Board of Commissioners to be rezoned. That piece of property is different than what is before the Board now. The property before the board now is zoned R-2.

Mr. Hoffman said the property was rezoned in 1979 to industrial property based upon the existing nonconforming use. The tract that is currently requested for rezoning was denied in 1990.

Commissioner Barnes asked if certain requirements could be placed on a rezoning such as fencing, trees, etc.

Mr. Hoffman said if the property was rezoned and Mr. Schronce proposed a salvage yard, that is not a use by right in an industrial zone. The request would have to go before the Board of Adjustment for a special use permit. The Board of Adjustment would make certain requirements such as buffering. Special use requests have to meet certain criteria and then be approved.

Commissioner Barnes asked if the board were to adopt the zoning change they would not be endorsing the use as a salvage yard.

Mr. Hoffman said the board should consider all potential uses as Mr. Schronce would not have to propose a salvage yard.

Attorney Eades said in approving a rezoning you would not be approving operation of a salvage yard, junk yard or recycling facility but approving the change of property from R-2 to E-2 which is a different zoning classification and the board would have to satisfy itself that the decision going from R-2 to E-2 is consistent with the land use plan. Mr. Eades said Mr. Hoffman said on balance it is consistent with the land use plan. Mr. Eades said if the rezoning is approved the property owner would have to come before the county and get permission to operate a salvage yard.

Attorney Eades reviewed requirements in the ordinance. He said the property to be rezoned must have access to an arterial or collector street and must have proper buffering. He said additional buffering and screening may be required such that no materials stored on the yard are visible from any street, and any adjacent less intensive use of property. In this case, all properties that abut the property in question, no material shall be store closer than 30 feet from any of the zoning lot lines.

Commissioner Hunsucker said he went to the salvage yard and everything was clean and as far as he could tell they kept all fluids contained. He recommended that Mr. Schronce go to the small area plan meeting, and Mr. Schronce told Mr. Hunsucker he did attend the small area plan meeting and satisfied their vision for that area and then it went to the Planning Board which voted it down. Mr. Hunsucker said he called several of the planning board members who told him they could have voted either way. Mr. Hunsucker said at that point he revisited the salvage yard and walked over the entire salvage yard again and he saw no mosquitoes, rats, snakes, etc. He said he was in favor of the rezoning because they have a legitimate, existing business that fits the plan for the county in that area. People have to have a place to go with the junk vehicles to satisfy the county ordinance. He doesn't think it is a health hazard. The EPA found several car hoods and recommended that they be turned upside down to prevent water from standing. Mr. Hunsucker said they run a clean and legitimate business.

Chairman Ikerd asked Rich Hoffman about who went out to the site to inspect and what they found.

Mr. Hoffman said on May 16, 2002, Russell Williams, Environmental Health; Kelly Isenhour, Public Health; Tommy Owens and Ed Burton from Zoning did a visual inspection of the site and they found no evidence of rats on the property. There was a dog on the property being fed by a rodent proof container. There were some specific places found to harbor mosquito larva due to the way the trucks were being parked and staff instructed Mr. Schronce on how to drain the water to prevent problems in the future. They found no health hazards on the property.

Commissioner Huffman requested that County Attorney Eades review the uses in the E-2 district.

Attorney Eades said as appropriate we will add additional requirements onto particular uses to make them as compatible as possible and it is our most intensive manufacturing district. He recommended that the Commissioners proceed as if they are approving a rezoning that is appropriate for any E-2 use.

Commissioner Huffman said she would be voting against the rezoning because it was zoned R-2 when the others built and they were there first. She doesn't feel they should be totally surrounded by a rezoning.

County Attorney Eades said no one had specifically raised the issue of spot zoning but that is an issue always underlying these type decisions and he wanted to briefly address that matter of law. In North Carolina, spot zoning is per se illegal. Rather, there are instances in which spot zoning - if you define spot zoning as just a zoning classification that is different from that around it - can be legal. What the board in those instances needs to look at is proposed new use, ask itself how is it consistent with uses that are already existent in the community, the size of the area being rezoned, is the proposed new use compatible with the land use plan, will the new use provide services to the community and to the large area, will it provide detriments to the area? He said the commissioners could go through that analysis themselves. He ended by noting that when he goes through the analysis himself he thinks a defensible case could be made that this is not illegal spot zoning.

Commissioner Hunsucker said Lots 7 and 8 would be completely surrounded but they do have a good road in and out. He said the salvage yard is already there and it will not devalue the property any more than what the neighbors say it already is.

Chairman Ikerd called for the vote.

Commissioner Hunsucker made a motion to approve the rezoning as presented.

Voting aye: Hunsucker

Voting nay: Barnes, Huffman, Ikerd

Chairman Ikerd said the motion was defeated 3 to 1.

- b. A rezoning request of Laban William Helderman to rezone a 14.17 acres tract from R-2 Residential to Planned Development- Shopping Center Community District (PD-SC). This property is located in the Caldwell Township at 4111 S NC 16 Hwy in Maiden, NC, being parcel I.D. 3678-03-02-9214.

Assistant Planner Richard B. Smith said the applicant is requesting to rezone an approximately 14.17 acre tract from R-2 Residential to Planned Development- Shopping Center Community District (PD-SC). This property is located in the Caldwell Township at 4111 S NC 16 Hwy in Maiden, NC in the southwest quadrant of the intersection of NC Highway 16 and Buffalo Shoals Road (S.R. #1003). It is further identified with Parcel I.D. number 3678-03-02-9214.

Mr. Smith said the properties to the south, west and north of this property is zoned R-2 Residential with some being residentially developed. Properties to the northeast and east of this tract are zoned C-1 Commercial and E-1 Light Manufacturing. The commercial tracts include a restaurant, convenience store, and real estate office. The manufacturing tracts include an electrical contractor business. He said NC Highway 16 is designated as a minor arterial road on Catawba County's Thoroughfare Plan. This system, in conjunction with the principal arterial roads, forms a network that links cities, larger towns, and other major traffic generators. According to the 1991 Catawba County Thoroughfare Plan, Highway 16 has a road carrying capacity of 9,900 vehicle trips per day. The 1999 traffic counts on Highway 16 near this intersection is 7,100 vehicle trips per day and on Buffalo Shoals Road is 3,600 vehicle trips per day.

Mr. Smith said *VisionQuest 2010: Catawba County's Comprehensive Plan* designates this area as a "Limited Transition Area". Limited Transition Areas have many of the characteristics of Transition Areas, such as limited water or sewer service or planned road improvements. Limited Transition Areas, however, are not located adjacent to municipalities. They typically can be found in areas of the County near crossroad communities or along NC Highway 150 with developing commercial and residential growth. The following Land Use & Development policies apply to this request:

The following Land Use & Development policies apply to this request:

Policy 1.10 Development in Limited Transition Areas should also be encouraged, especially in those portions of the Limited Transition Areas where water and/or sewer service is present or planned for the near future.

Policy 1.15 Address compatibility between land uses when making land use decisions.

Policy 1.16 Mitigate possible adverse impacts of new development through the use of screening and buffering.

Policy 1.20 Encourage development at appropriate major intersections within the Developed Transition and Limited Transition Areas (sometimes called "nodal development") and discourage land use changes that lead to "strip" development patterns with multiple driveways.

Policy 1.30 Linear "stripping" of offices and retail establishments along thoroughfares shall be discouraged in favor of planned office parks or planned clusters of retail/office development with common access, parking, signage, etc.

Policy 1.32 Encourage retail and office uses to locate in designated areas well served by public infrastructure, especially adequate road capacity.

Policy 1.33 Encourage retail and office uses in areas located on an arterial, a major thoroughfare or major collector and in areas where turning movements are safe and interparcel access is available.

Policy 1.35 Community commercial development should be located at intersections (or interchanges) of existing major or minor arterials and thoroughfares and should be located close to other community facilities such as parks, recreation facilities, institutional uses and offices.

Policy 1.39 Encourage retail and office uses to be designated so that they are compatible with surrounding development and separated from residential neighborhoods by the use of buffering or "step-downs" in use and intensity.

Policy 1.40 To avoid strip development patterns, encourage an internal orientation for non-residential developments which have multiple structures.

Policy 1.48 Ensure that nonresidential sites are designed to include adequate buffering, parking and open space.

Policy 1.51 Encourage sites to share functional site design when efficient development patterns (such as interparcel access, shared parking and cooperative signage) are viable options.

Policy 1.53 Encourage parking lot site plans that provide adequate areas for landscaping.

Policy 1.56 Encourage site planning and design alternatives which reduce the demand for artificial heating, cooling, ventilation and lighting.

Mr. Smith said the applicant has provided a site plan as required per Section 515.204 of the Zoning Ordinance. Staff has reviewed this site plan and found that it meets the requirements of the Zoning Ordinance. It should be noted that the acreage depicted on the site plan is greater than that included in the rezoning request because the site plan includes a 0.93 acres tract that has been subdivided out of this property. This rezoning request does not include this particular tract. The applicant has included the future four-lane expansion of Highway 16 in his site plan. The applicant must apply for a driveway permit with the North Carolina Department of Transportation (NCDOT) before the proposed entrances can be approved.

The applicant is proposing to construct a 22,500 square foot building to accommodate a grocery and hardware store. The required parking for this type of facility is four parking spaces per every 1,000 square feet of gross floor area. This would be equal to a requirement of ninety parking spaces. The applicant is proposing a 2,880 square foot building to accommodate a convenience store (with gasoline). The required parking for this use is one parking space for every four pumps and the applicant is proposing no more than eight pumps for this site. The applicant is also proposing a 9,750 square foot building to accommodate retail and office uses. The required parking for this type of facility is also four parking spaces for every 1,000 square feet of gross floor area. This equates to a requirement of thirty-nine parking spaces for this particular structure. For this planned district, the maximum amount of office space is 10% of the total gross leasable area. The total required parking for this site as per the proposed structures and uses would be one hundred thirty parking spaces and the applicant is showing one hundred eighty seven spaces on the site plan.

The Zoning Ordinance requires two loading docks for commercial uses that are 8,000-25,000 square feet in size. The applicant is showing two loading docks for each of the large commercial structures. A loading dock would not be required for the convenience store.

The ordinance requires a 15-foot buffer around this site where it abuts residential and the applicant has illustrated this on his plan. In addition to this requirement, the applicant must adhere to all other buffering and screening requirements of Section 515.060 of the Zoning Ordinance. Section 515.062 requires the mechanical equipment to be screened and Section 515.063 requires a central solid waste storage area with screening and all of these have been depicted on the site plan.

This property lies within the WS-II Protected Area of the Maiden Creek water supply watershed area. This particular watershed area allows only 12% impervious area, unless the owner applies to the Board of Adjustment for a 5/70 permit. The applicant has applied for this permit and the Board of Adjustment approved this request at its May 28, 2002 meeting. This permit allows the applicant to



cover up to 70% (430,852 square feet or 9.89 acres) of the property with impervious area (including the building and parking areas).

The maximum permitted floor area for this particular planned development designation (PD-SC) is 1:3. The site plan shows a total of 35,130 square feet and this property could build up to 205,000 square foot of building area if they are granted the 5/70 permit for the watershed area. The proposed square footage is well within the permitted ratio for this district.

There is no public infrastructure immediately abutting this property and there are no immediate plans for water or sewer in this area. The Utilities and Engineering Department has indicated that the applicant would only be required to connect to public infrastructure if the proposed facilities would use over 10,000 gallons of water per day. The applicant has provided a letter from his engineer indicating that this use will not exceed this amount of water per day.

Mr. Smith said the Zoning Ordinance says, "A Planned Development- Shopping Center (PD-SC) District shall be used when more than one principal structure is planned on a zoning lot or when two or more permitted uses per principal structure is developed on a single zoning lot." The Ordinance goes on to say that "Planned Development- Shopping Center Community Districts are intended generally to be built around a junior department store or a substantial variety store as the major tenant, in addition to a supermarket. Such centers, which do not usually have a full-line department store, normally serve a trade area population of 10-25,000 within 10-15 minutes driving time." Based on the 2000 Census data, it has been determined that there are 13,934 habitants within a five-mile radius of this site.

The Land Use Plan from the Balls Creek Small Area Planning Committee has not been adopted thus far. However, this Committee has been made aware of this request and agrees with the recommendation to approve the request to rezone it to PD-SC. Based on this information, staff recommends the rezoning of this property from R-2 Residential to Planned Development- Shopping Center Community District (PD-SC). The Planning Board approved this request subject to the Board of Adjustment's approval of the applicant's 5/70 permit, the applicant getting the proper permits from NCDOT, and the applicant providing the proper information to our Utilities and Engineering Department about the proposed water usage.

Mr. Smith said Mr. Robert K. Wilkinson and Mr. Recil Wright spoke at the public hearing in opposition to this request. They brought up concerns about the traffic and lack of public infrastructure for this type of development. Mr. Helderman was present at the public hearing to speak in favor of his request. The Planning Board voted unanimously for a favorable recommendation to the Board of Commissioners for this request.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

Robert Wilkinson, 2895 Buffalo Shoals Road, Newton, spoke in opposition.

There being no one else wishing to speak, Chairman Ikerd closed the public hearing.

After a brief discussion, Commissioner Huffman made a motion to approved approve the rezoning. The motion carried unanimously.

- c. Proposed amendment to Catawba County Code, Chapter 515, Table 515-1 Schedule of Permitted and Permissible Uses by District to allow Campground/Recreational Vehicle Parks as a permitted use in the C-1 and C-2 Commercial District and delete from the O-I Office Institutional District. Add Section 515.107 establishing standards for all Campground/Recreational Vehicle Parks developed in the C-2 Commercial District.

Richard B. Smith, Assistant Planner said The Catawba County Planning and Community Development Department received an application to expand an existing Campground/Recreational Vehicle Park. The property in question has C-1 Commercial zoning along the front of property with R-2 Residential zoning in the rear. When researching this request staff realized that it is a Special Use in the R-2 and R-3 Residential District and permitted in the O-I (Office-Institutional) District. However, Campgrounds/Recreational Vehicle Parks are not allowed in any commercial districts.

When comparing Catawba County's Zoning Ordinance to surrounding areas, most districts allow this use as a special use in the residential districts and as a permitted use in either the highway business or commercial zoning district.

Staff recommends that the Board of Commissioners amend Table 515-1 Schedule of Permitted and Permissible Uses by District by deleting the use by right in the O-I (Office-Institutional) District, allowing Campground/Recreational Vehicle Parks as a permitted use in the C-1 and C-2 Commercial Districts and to adopt specific standards for the development of the use by adding Section 515.107. No one was present at the Planning Board public hearing to speak about this proposed amendment. The Planning Board voted unanimously for a favorable recommendation to the Board of Commissioners for this amendment.

Chairman Ikerd opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

There being no one wishing to speak, Chairman Ikerd closed the public hearing.

**ORDINANCE NO. 2002-03  
AN AMENDMENT TO CATAWBA COUNTY CODE, CHAPTER 515,  
TABLE 515-1 SCHEDULE OF PERMITTED AND PERMISSIBLE USES BY DISTRICT**

**BE IT ORDAINED** by the Board of Commissioners of Catawba County:

TABLE 515-1: SCHEDULE OF PERMITTED AND PERMISSIBLE USES BY DISTRICT

## Legend

**X = Permitted Principal Uses**  
**Y = Permitted Accessory Uses**  
**R = Rezoning Process**

**A = Special Use Approved by Board of Adjustment**

**Blank = Prohibited Use**

(1) Five or more nonresidents; (2) Maximum number of residents is 12; (3) In existing manufactured home parks only; (4) Maximum number of residents is 5; (5) Only for uses permitted in the district; (6) When catering to industrial clients; (7) Excluding the open storage of wrecked cars; (8) May include open storage as permitted for junkyards; (9) In existing manufactured home parks, on existing lots of record, and family subdivision lots; (10) Administration approval subject to supplemental regulations in 515.101.

Use	R-1	R-2	R-3	O-I	C-1	C-2	C-3	E-1	E-2	See Section
Bakeries					X	X	X			
Bakeries (wholesale)							X	X	X	
Banks and finance companies				X	X	X	X	X	X	
Barbershop				X	X	X	X			
Baseball hitting ranges						X	X			
Beauty shop				X	X	X	X			
Bedding and carpet - Mfg.								X	X	
Bicycle repair					X	X	X			
Bicycle sales and service					X	X	X			
Billiard or pool halls					X	X	X			
Blueprints and drafting supplies						X	X			
Board/rooming house and bed & breakfasts		A	A	X						515.165
Boat works - Mfg.								X	X	
Bona fide farms	X	X	X	X	X	X	X	X	X	
Book and stationery stores					X	X	X			
Botanical gardens	X	X	X	X	X	X	X	X	X	
Bottling plants - Mfg.								X	X	
Bowling lanes						X	X			
Brick, tile and pottery yards - Mfg.								X	X	
Building cleaning and maintenance services				X		X	X			
Bus garages							X	X	X	
Bus terminal						X	X			
Cabinet shops - Mfg.							X	X	X	
Camera and photography supplies						X	X			
Campgrounds/ <u>Recreational Vehicle Park</u>		A	A	<del>X</del>	<u>X</u>	<u>X</u>				Permitted 515.107 <u>Special Use</u> 515.166

**515.107 CAMPGROUND/RECREATIONAL VEHICLE PARK.**

The following standards shall be used for approval of this use in the C-2 Commercial District:

- (A) Group camp facilities operated on a profit or nonprofit basis.
  - (1) No camp shall have a maximum design capacity of more than 150 campers.
  - (2) Each group camp shall provide a minimum of ½ acre per camper.
  - (3) All buildings and areas for organized recreational use shall be set back a minimum distance of 35 feet from any exterior property line and a buffer shall be provided as set forth in 515.060, Table 515-3 under "Multi-family use."
  - (4) Cabins in the camp shall be a minimum distance of 50 feet from one another and a minimum distance of 75 feet from any toilet facility. No cabin shall be more than 150 feet from toilet facilities.
  - (5) A preliminary site plan drawn to a scale of not less than 200 feet to the inch nor more than 50 feet to the inch shall be submitted for each group camp facility application. The sketch shall include, among other things, the requirements set forth in the above and other information that is required for special use permit application.
- (B) Campground/Recreational Vehicle Parks providing sites for tents and camping trailers.
  - (1) Minimum size for tent and camping trailer campground/recreational vehicle parks shall be five acres.
  - (2) A minimum of 3,000 square feet of area shall be provided for each tent or trailer space.
  - (3) All buildings, tent spaces, and trailer spaces shall be set back a minimum distance of 35 feet from any exterior property line and a buffer strip shall be provided, as required in 515.060, Table 515-3 under "Multiple-Family Use."
  - (4) A sanitary source of drinking water shall not be more than 200 feet, toilet facilities not more than 400 feet, and wash houses not more than 1,500 feet from any tent or trailer space. This provision shall not apply where community water and sewer connections are provided to trailers having self-contained kitchens and bathroom facilities.

This 17<sup>th</sup> day of June, 2002.

/s/ W. Steve Ikerd, Chairman  
Catawba County Board of Commissioners

After a brief discussion several recommendations were incorporated in the aforementioned ordinance, Commissioner Barnes made a motion to approve the aforementioned ordinance amending the County Code with changes which were incorporated in the aforementioned ordinance. The motion carried unanimously.

5. Special Guests:

- a. Chairman Ikerd recognized Lewis Woods, Candidate Glenn Barger, and Hickory Public Schools representatives Jean Yoder, Sarah Talbert, and Nancy Meeks.
- b. Corky Upchurch and Ed Nolley, Co-Chairs, Citizens Advisory Committee for School Facilities.

Mr. Ed Nolley said since the Citizen's Advisory Committee for School Facilities was named by the Commissioners, the three Boards of Education, and Trustees of the Community College worked on their assigned mission of assisting the boards by identifying a facilities needs plan and a funding strategy which will provide cost effective, high quality schools for students and teachers throughout Catawba County. Their committees met for 12, 2-hour sessions, since they first met on February 28 of this year. Presentations have been made to the committee by the superintendents of each of the three school systems, President of CVCC, County Manager J. Thomas Lundy, and they study the demographic trends of Catawba County as presented to them by the Council of Governments. Some of the committee spent a full day touring school facilities selected by the superintendents as having the greatest needs for attention in the county. The committees worked hard, listened, learned, asked hard questions, discussed, debated and had more agreements than disagreements. The committee was well supported by the school systems and county government. They committee received information promptly and in the detail they requested. He said they are pleased to present the report for the Board of Commissioner's consideration.

Mr. Corky Upchurch presented the following report:

**"Catawba County  
Citizen's Advisory Committee  
For School Facilities  
2002**

**Co-Chairs**

Edwin Nolley

Corky Upchurch

**Members**

Steve Aaron  
Rick Beasley  
Rita Busbee  
Sam Chambers  
Becky Ferrell  
Reveriano Flores  
Kathy Greathouse  
Hayward Hanna  
Doug Howard  
David Huffman  
Stine Isenhower  
Patty Kelly  
Khue Khang  
Lynn Lail  
Tim Laney

Deborah McEachran  
Cindy McRee  
Marcus Midgett  
Allen Mitchell  
William Pitts  
Tony Pope  
George Reid, Jr.  
Dan Timmerman  
Liz Van Horn  
Tracy Warlick  
Thomas H. Watson, Jr.  
Gary Whitener  
Mike Wilson  
Lewis Woods  
Jean Yoder, *Recorder*

**Recommendations of the Catawba County  
Citizens Advisory Committee for School Facilities**

*"A quality education system and a robust economy are synonymous.  
You simply cannot have one without the other."*

*James Wuenker  
Greater Cincinnati Chamber of Commerce*

**Overview**

The Citizens Advisory Committee spent three months exploring the facilities needs of the three public school systems and the community college in Catawba County. We heard presentations from each system and the community college, and toured representative facilities; were given growth numbers and growth projections for the County and each school district by the Western Piedmont Council of Governments; and received financial information from County government officials.

We **found** the needs of the school systems and community college to be real and immediate. We are convinced the representatives of the school systems and community college presented a true picture of their needs and the impact of those needs on the education of children in Catawba County. Our visits to the schools and community college reinforced what we heard.

To **maintain** the quality of education for our children, sustain strong economic development, and insure the future quality of life in Catawba County, those critical conditions must be addressed without delay. The longer the County defers action on meeting the needs of the schools and community college, the greater the needs will become, and the greater the probability that student performance standards and the future of the County will be negatively affected.

We **recommend** that Catawba County expedite funding for the facilities needed by whatever methods necessary. It is time to catch up with the facility needs and get out in front in preparing for the future. We anticipate that by funding facility needs now, and by incorporating room for future growth, the recent cycle of calling on voters to approve a Bond referendum every four years will be broken. Not meeting these needs, or meeting only some of the needs, will ensure

that taxpayers will be faced with the necessity of raising additional funds for school construction within three to four years' time.

The Committee's findings and recommendations are divided into the following sections: General, Specific to the Individual Systems, Funding, and Comments for the Future

### **General**

We **recommend** that overall the three schools systems provide space for at least 3,100 additional students over a five-year period to handle growth, maintain the smaller class sizes that facilitate learning and higher achievement, and keep up with changes in technology that help prepare our students for the workplace of the 21st Century.

We **recommend** that any replacement schools constructed in Catawba County be built with a core capacity at least 115-125 percent over present needs to accommodate future growth.

We **recommend** that use of mobile units be considered a temporary, not a long-term or permanent solution to any school's overcrowded condition, and that the present use of mobile units in all schools be reduced as quickly as possible, especially at the upper levels.

### **Catawba County Schools**

During the 1990s, Catawba County Schools grew at a rate of approximately 500 students per year, and is facing an increase of 2,450 students over the next five years. Past emphasis in construction has been on expanding capacity at elementary schools; those students now are in middle and high school and now those facilities are greatly over capacity. In fact, it has been 40 years since a new high school was built in the Catawba County system. The Committee makes the following recommendations for Catawba County Schools.

We **recommend** that all planned renovations at Fred T. Foard High School—including 15 additional classrooms, new media center, new cafeteria, new gymnasium, conversion of current media center to classrooms, and upgrading of football stadium to accommodate the greater number of students attending the school—be undertaken and completed as soon as possible since this school is the most overburdened in all of the systems.

*Projected cost: \$9 million for all phases of the project.*

We **recommend** that a new Maiden High School be constructed. This larger school will accommodate more students and relieve some of the burden from Foard as well as allowing the existing Maiden facility to be converted to a middle school.

*Projected cost: \$24.4 million.*

We **recommend** that to accommodate students in a growing area, a new elementary school be built in the Catawba area.

*Projected cost: \$9 million.*

We **recommend** that with Maiden's conversion to a middle school, Tuttle Middle be converted into an elementary school, adding a new media center and 8 classrooms, and renovating administrative and support areas.

*Projected cost: \$2.5 million.*

We **recommend** that planned additions to Bunker Hill High School, including 8 additional classrooms and a new cafeteria, be undertaken.

*Projected cost: \$2.3 million.*

We **recommend** the proposed addition of 12 classrooms and the creation of a new entry to St. Stephens High School, which will include a change in traffic patterns approaching the school and increased parking areas.

*Projected cost: \$2.5 million.*

We **recommend** the construction of two new elementary schools by 2006: one in the St. Stephens area and one in the Banoak/Blackburn area to accommodate projected growth in those sections of the county.

*Projected cost: \$18 million.*

We **recommend** that planned additions to Bandys High School, including 4 additional classrooms and a cafeteria, be undertaken.

*Projected cost: \$ 1.5 million.*

We **recommend** the proposed addition of 12 classrooms and a new administrative area at Arndt Middle School.  
*Projected cost: \$2.5 million.*

**The total amount of funding recommended for construction and renovation of facilities in the Catawba County Schools is \$69.7 million.**

#### **Hickory Public Schools**

During the late 1990s, student population in the Hickory Schools expanded by more than 150 students, primarily in the southern part of the district where projections indicate growth will continue. The Hickory system is expected to increase by approximately 350 students over the next five years. Hickory's facilities, especially in the southern area are greatly over capacity, and are in need of immediate relief. The Committee makes the following recommendations for Hickory Public Schools.

We **recommend** that Hickory proceed with its plan to build a new middle school in the southern area of the city to replace the aging Grandview Middle School. This also will provide relief to Longview and Southwest Elementary Schools by having the existing Grandview building serve their overflow students once the new facility is completed.  
*Projected cost: \$12.6 million.*

We **recommend** that the 30-year-old Hickory High School be improved and renovated to provide 6 additional classrooms and expanded physical education facilities, as well as generally upgrading the physical plant, electrical systems, and plumbing for the safety of students and staff, and that an existing building on recently purchased property be renovated for school use.  
*Projected cost: \$4.5 million.*

We **recommend** that once the new middle school is completed, Hickory build a sixth elementary school in the south section of the city, possibly on the present Grandview site, to accommodate current and projected growth in that area.  
*Projected cost: \$9.4 million.*

**The total amount of funding recommended for construction and renovation of facilities in Hickory Public Schools is \$26.5 million.**

#### **Newton-Conover City Schools**

The Newton-Conover system also is facing growth in enrollment, especially from children in new housing developments in the Conover area. Over the next five years, Newton-Conover expects more than 260 additional students. The Committee makes the following recommendations for the Newton-Conover system:

We **recommend** construction of a new elementary school on County Home Road with a core to accommodate 600 students, which will free up space and relieve overcrowding in other facilities.  
*Projected cost: \$7.5 million.*

We **recommend** demolition of the gym, which is a potential safety hazard at Thornton Elementary School, and the construction of a new gymnasium, cafeteria, media center, and additional classroom building at Thornton.  
*Projected cost: \$4.3 million.\**

We **recommend** renovations at Shuford Elementary School, which will include replacement of all windows, and expanding the school's core areas by relocating the library in the existing gym, and constructing a new gym.  
*Projected cost: \$1.4 million.*

We **recommend** the proposed replacement of the one-pipe heating system and addition of 4 classrooms at Newton-Conover High School  
*Projected cost: \$1 million.*

We **recommend** that by 2006, asbestos be removed and the carpet replaced at South Newton Elementary School for the safety of the students.  
*Projected cost: \$200,000.*

We **recommend** that by 2006, an addition for classrooms and office space be constructed at Conover School to house the ACT (*Adolescents and Children in Treatment*) program, which serves all three school systems in Catawba County.  
*Projected cost: \$2 million.*

**The total amount of funding recommended for construction and renovation of facilities in Newton-Conover City Schools is \$16.4 million.**

---

\* In making this recommendation, the Committee recognizes the needs at Thornton, but suggests that the Newton-Conover Board of Education look at the possibility of replacing the present facility with a new elementary school, making alternative uses of the old Thornton facility, which may be a more prudent use of funds over the long run.

### **Catawba Valley Community College**

In a time of economic turndown, a community college becomes increasingly important to a community as a whole, with its facilities for re-training workers whose jobs have been eliminated, especially in companies facing obsolescence. Catawba Valley Community College (CVCC) can help individuals and the County by educating workers for jobs in more stable areas such as health care, and getting them back on their feet.

CVCC's most pressing need is for funds to build a new Library/Resource Center. During its last Accreditation visit, the school was cited by the Southern Association for its inadequate library facilities. The current library was built in 1975 before wide-spread use of computers. At that time, it accommodated 35,000 volumes and served a student body of 13,000. Today, the enrollment has risen to 21,000 and the library's shelves are 40 percent over capacity. Without a new library, CVCC is facing the loss of the Southern Association accreditation that stamps it as a viable education institution.

We **recommend** funding construction of a new Library/Learning Resource Center at CVCC, which will meet the accreditation standards, take advantage of the opportunity to link electronically with the new media facility to be constructed at Appalachian State University, be more accessible to the general public, and be convenient to the proposed new Hickory Metropolitan Higher Education Center.

*Projected cost: \$6.6 million.*

To give CVCC students an opportunity to train on the level of equipment they will face in the workplace, we **recommend** purchase of equipment, especially upgraded computers.

*Projected cost: \$1.25 million.*

To help new business get off the ground, especially important in this time of transition for the County, we **recommend** renovating a "shell space" for start up businesses on the East Campus. We further recommend that renovations and repair to the Main Campus be undertaken to transform the existing library into much needed classroom space.

*Projected cost for Renovations: \$750,000.*

Finally, since CVCC is the primary training center for EMS groups in Catawba County, we **recommend** purchase of 15 to 20 acres of land to house Truck Driver Training, Fire Service Training, and an outdoor driving range for training law enforcement, EMS, and ambulance trainees.

*Projected cost: \$500,000*

**The total amount of funding recommended for construction and renovation of facilities at Catawba Valley Community College is \$9.1 million.**

### **Funding**

Our study indicates that lack of proper funding over a period of years has left the schools in Catawba County behind the curve and playing catch-up in terms of facilities. From 1974 to 1986, the County offered no school bonds and did little to fund new construction or renovate older schools. Bonds passed since 1990 barely covered the existing needs of the schools and have not allowed for construction of facilities to accommodate future growth. In addition, school systems have been encouraged to pare down their requested needs to reflect only the most critical in hopes of passing a bond palatable to the public. This band-aid approach to funding facilities, as well as the failure of taxpayers to pass a Bond in 2001, has led to the current overcrowding and inadequate facilities in the Catawba County, Hickory, and Newton-Conover school systems, and Catawba Valley Community College. As a result:

**This committee recommends full funding of the projects summarized in the previous section for a total expenditure of \$121.7 million.**



In recommending this large amount, the Committee believes it is preferable to address the facility needs now and pay for them over a six-to eight-year period rather than fund the needs piecemeal. In the long run, the needs of the three school systems and community college are real and must be met if high quality school systems are to thrive in Catawba County. Dealing with the needs in increments means only that the issue of funding will be before the Commissioners and taxpayers again in two to four years, and any money obtained at that time will come at a higher cost to taxpayers.

Having looked at various funding methods, including raising property taxes, imposing additional sales tax, and selling Certificates of Participation (COPs), the Committee **acknowledges** that selling General Obligation Bonds would be the most practical way to raise the money needed. However, the Committee urges Catawba County Commissioners to fund the current school facility needs **by whatever means available**. The needs are so critical that the issue presented to taxpayers by the Commissioners should be **“how,” not “whether,”** the money will be raised and expended for the schools.

### **Comments**

Obtaining the funds to provide needed school facilities will require County's leaders to go to the mat and unanimously support a Bond referendum or whatever method of financing is chosen.

The community must be **educated** on the importance of maintaining the County's excellent schools.

- High quality public schools and school facilities are essential to provide the children of Catawba County the highest quality education possible so they graduate ready to take their place as good citizens, and prepared so they will not be left behind in the increasingly competitive global workplace that requires hiring the best and brightest people.
- High quality schools are essential to the business community in attracting new jobs, and in maintaining and improving the quality of life in the County.
- High quality schools are essential to maintain and broaden the County's tax base, helping to attract new business and industry to replace industries that are waning and utilizing fewer employees.
- High quality schools supporting economic growth are essential to maintain the value of homes and protect most taxpayers' greatest asset.
- The purpose of improving facilities is to enhance the education of the students in Catawba County, and in making these recommendations, the Committee believes the three school systems and CVCC should be held accountable for the results.

The Committee **recommends** hiring a Public Relations firm to take the case for Catawba County's children and their need for adequate facilities to its citizens. It is essential that citizens be informed of the importance to the future of all County residents—new and established, young and mature—of maintaining high quality education programs for the children who will become our future leaders and taxpayers. Current taxpayers need to understand that education is an essential ingredient for continued growth and prosperity in Catawba County.

The Committee **recommends** that:

- The school systems **examine** all properties they own with an eye toward selling or swapping property in those locations with high desirability for other uses.
- The school systems be **encouraged** to continue to jointly review with each other, the County Manager, and the Economic Development Corporation future plans for expansion, looking at the location of schools, potential land purchases, and building plans.
- The school systems and community college be **innovative** in their approach to facilities, **explore** possible alternatives to new construction, and **examine** vacated sites within the county for potential use.
- In designs for future facilities, the school systems **consider** designing libraries/media centers with entries for use after school hours by the local community, thereby expanding library access for all County residents.
- The school systems and community college **undertake** a long-term analysis of future needs looking for the most cost-effective use of the funds available

The Committee **recommends** that the County Commissioners begin immediately to explore ways to create a pool of money, by whatever means deemed practical, for the purpose of funding the ongoing building and maintenance of school facilities in Catawba County.

As we present these recommendations, the Committee acts on faith in the administrators and Boards that have made the requests; faith in the elected officials who must act on them; and faith in the citizens of Catawba County to support them. Members of the Committee stand behind the recommendations and pledge to support publicly the Commissioners in their actions to implement them, and to help promote and make known the school systems and community college needs to the community.”

Mr. Upchurch said they found the needs of the school systems and community college to be real and immediate and found those needs in the amount of \$121.7 million. He also said the committee recommends that the needs be funded by General Obligation Bonds.

He said the committee recommended all three public school systems provide space for at least 3,100 additional students over the next five years. Recommend when school systems are replacing schools that they build those schools at 115 to 125 percent of the current capacity needs to allow for future growth. Recommend that mobile units be considered as a temporary solution only.

The committee tried to look at a six year cycle so the cycle of needing to go to the citizens every three to four years with a bond referendum can be broken. The county is in a position of playing catch-up.

The committee thinks with further delays the needs will not go away but only become worse as years go by and will reach times of crisis.

The committee recommends that when this is put to the citizens that it be not a question of whether we are going to do this but how are going to do this.

He said the committee listed several reasons for funding school facilities such as economic vitality, maintaining the tax base, and drawing new industries and new businesses to Catawba County. In order for businesses to draw the quality of workers they need we must prepare our own students for the 21<sup>st</sup> Century and the global marketplace that we are in.

He said the committee feels \$121.7 million is a lot of money and they feel the school systems and CVCC should be held accountable for the results. He recommended the results be monitored.

The general recommendations to school systems and CVCC was that they examine all properties that they own with the possibility if there is a better use of the property that it might be sold and take the money and redeploy the assets.

He said there was a great deal of work being done jointly between the three school systems, CVCC, Catawba County government, and other agencies within the county and they encouraged and recommended that efforts be increased.

The committee asked that the school systems be innovative in what they are looking for.

They recommend that the County Commissioners try to establish some type of ongoing fund to stay ahead and he realizes that is easier said than done.

Mr. Upchurch said being part of the committee was an enjoyable learning experience and a great deal of work.

Chairman Ikerd and Commissioner Hunsucker thanked Mr. Nolley and Mr. Upchurch as well as all the committee members for working with the committee.

Chairman Ikerd asked about a priority list. He said a bond referendum is the best method and the only other choice is a property tax increase. Bonds are the most inexpensive and easiest pay back. He asked would the committee have a priority list?

Mr. Upchurch said the committee concurs with the bond issue being the most efficient and least expensive way to accomplish the needs. He said they heard a presentation on the county budget, how you can legally go about getting funds and the repayment of those funds. He said they did discuss prioritizing the list. There are serious needs now that would fall within the expenditure schedule of a bond issue and if they start chopping that up then that diminishes the needs and the

problems will be greater five to six years from now. Then you no longer have a \$121.7 million any more. The committee understood from its instructions that it was supposed to look at the school issue without politics. Mr. Upchurch said Facilities Director Michael Talbert was an invaluable resource to the committee.

Commissioner Barnes said she read all the minutes and all information given to the committee and she knows the needs exists. She thanked the committee. She said when she read the report her first reaction was the committee expanded the timeframe and that was a good thing. The economy in Catawba County is down more now, than anytime during her 25 years of living here. As a former school board chair it is very disheartening for her to sit and see the needs on a day-to-day basis. We are no farther along than a year ago. If anything, she believes we are in worse shape to go to the public and ask for a vote. She personally will be doing a lot of soul searching and seeking of numbers to start thinking out of the box. All five boards are going to have to deal with the needs of education in Catawba County as we are not in a predictable time. She said she was personally concerned about the people who had written negative anti-bond letters to the newspaper. She said Mr. Nolley contacted some of those people and wants the public to know they tried to bring those people in to ask the questions. She said a lot of hard questions were asked in the committee meetings and she was glad that they were. She said there has been a sincere effort put forth and she appreciated the effort.

Mr. Upchurch said the committee felt in order for a bond referendum to pass it would take unanimous and focal support to pass a bond issue regardless of the amount. He said great deal of educating needs to be done.

Commissioner Huffman thanked the committee for their work.

Chairman Ikerd said the people that served on this committee were an outstanding cross section of Catawba County and he appreciated the work by the committee. He thanked the Committee from the Commissioners and citizens from Catawba County.

County Manager J. Thomas Lundy said presentations were being made to each board by the committee. There was talk that all five boards wanted to sit down for discussion, that presentations were being made, and there were questions being asked but no formal action was taken by any of the boards. Mr. Lundy said the date suggested was next Tuesday afternoon.

Chairman Ikerd made a motion to call for a special, joint meeting with the three School Boards, CVCC Trustees, and the School Facilities Committee on Tuesday, June 25, 2002, 3:00 p.m. at the Agricultural Resources Center located at 1175 South Brady Avenue, Newton, NC. The motion carried unanimously.

6. Special guests not listed on agenda.

- a. Reverend Joel Cherry said he was a member of the board of directors of the Sherrills Ford Volunteer Fire and Rescue. He said Assistant County Manager Mick Berry would be presenting a resolution of support for a \$3,000 income tax deduction for active fire and rescue squad personnel. He urged the Commissioner to adopt the resolution.

7. Appointments:

**Voting Delegate and Alternate for July 2002 NACo Conference.**

Commissioner Hunsucker recommended the appointment of Chairman Ikerd as Delegate and Commissioner Huffman as alternate.

**Tax Department:**

County Manager J. Thomas Lundy recommend the following appointment/reappointment:

Reappointment of Jackie Spencer, Tax Collector, two-year term which will expire June 30, 2004.

Appointment of Jeanne Jarrett, Deputy Tax Collector for ambulance billing only, for a two-year term which will expire June 30, 2004.

**Mental Health Services of Catawba County**

Commissioner Barnes recommended the reappointment of John Fred Bryson for a first, 4-year term, and reappoint Stephen L. Graff for a second, 4-year term. The terms will expire June 30, 2006.

**Piedmont Wagon Transportation Committee for Persons with Disabilities**

Commissioner Barnes recommended the reappointment of Rodney A. Willis for a second, 2-year term, retroactive to January 1, 2001. The term will expire December 31, 2003.

**CVCC Board of Trustees**

Commissioner Barnes recommended the reappointment of Alex Williams for a fourth, 4-year term. The term will expire June 30, 2006.

**Public Health Board**

Commissioner Barnes recommended the appointment of Dr. Kerry Reeves, 1606 Indian Head Ct., Conover to replace Dr. J. Rick Davis who was not eligible for reappointment. Dr. Reeves' first, 3-year term will expire June 30, 2005. Margaret Hilda Elliott and Clark S. Isaac were reappointed for second, 3-year terms. The terms expire June 30, 2005.

Commissioner Barnes made a motion to approve the aforementioned appointments. The motion carried unanimously.

8. Departmental Reports:

a. Planning and Development:

1. Catawba County Historical Association's request for Transportation Enhancement (TEA-21) Funding.

Interim Director of Planning and Community Development Presenter John Witherspoon said the federal highway bill of 1991, the Intermodal Surface Transportation Efficiency Act (ISTEA), broadened government's transportation focus to include transportation enhancement activities. The funding, as continued under the Transportation Equity Act for the 21<sup>st</sup> century (TEA-21), improves the cultural, aesthetic and environmental aspects of North Carolina's transportation system. One of the aims of this program has been to encourage communities to partner with the State of North Carolina to preserve treasures that can be enjoyed for generations. The North Carolina Department of Transportation (NCDOT) administers the TEA-21 project as a federal-aid transportation project. Transportation enhancement funding is a cost reimbursement program and not a grant. At least 20 percent of a project's cost must be paid for by the sponsor to show commitment by the local group or community. The Catawba County Historical Association has indicated that they would be willing to pay this required 20 percent (up to \$25,000) for improving the public access to the historic Bunker Hill Covered Bridge site. They have identified this site as one that is in need of improvement and are applying for funding under the Historic Preservation category. The Bunker Hill Covered Bridge is listed on the National Register of Historic Places. Furthermore, the American Society of Civil Engineers recognizes it as one of only three National Historic Civil Engineering Landmarks in North Carolina. Based on this information, staff recommends adoption of the following resolution to support this request.

**RESOLUTION NO. 2002-14**

**Resolution Regarding State Transportation Enhancement Funding  
for Improvements to the Bunker Hill Covered Bridge**

WHEREAS, the Bunker Hill Covered Bridge is located within the boundaries of Catawba County, North Carolina; and

WHEREAS, the Bunker Hill Covered Bridge is on the National Register of Historic Places; and

WHEREAS, the Bunker Hill Covered Bridge is recognized as one of only three National Historic Civil Engineering Landmarks in North Carolina by the American Society of Civil Engineers; and

WHEREAS, the Catawba County Historical Association will be making application to the North Carolina Board of Transportation for Transportation Enhancement (TEA-21) funding to improve public access to this historic site.

NOW, THEREFORE, BE IT RESOLVED that the Catawba County Board of Commissioners respectfully supports this application and requests the North Carolina Department of Transportation to approve this request for funding.

This the 17<sup>th</sup> day of June, 2002.

/s/ W. Steve Ikerd, Chairman  
Catawba County Board of Commissioners

Commissioner Hunsucker made a motion to adopt the aforementioned resolution. The motion carried unanimously.

b. Emergency Services:

1. Resolution Supporting Income Tax Deduction for Firefighters and Rescue Squad Workers.

Assistant County Manager Mick W. Berry said the Emergency Services Study completed in 2000 pointed out the difficulty fire departments and rescue squads in the County were having recruiting and retaining volunteers. Staff has implemented appreciation events, periodic public service announcements and activities in the schools to promote volunteerism. The Catawba County Firefighters Association approached staff about possible legislation to provide some type of financial support to volunteers. Staff discussed the issue with Representative Mark Hilton. Representative Hilton discussed the issues with the Fire Association and introduced the a bill and he has requested the support of the County Commissioners for his bill, which would provide a state income tax deduction of \$3,000 to active fire and rescue volunteers.

**RESOLUTION #2002-15**  
**Resolution Supporting Income Tax Deduction**  
**For Firefighters And Rescue Squad Workers**

WHEREAS, Volunteer Firefighters and Rescue Squad Members serve selflessly to protect the property and life of citizens in Catawba County and through out the State; and

WHEREAS, these volunteers have saved tax payers untold costs by serving many years; and

WHEREAS, the time commitment made by these volunteers continues to grow as they need ever more training and certification to stay abreast a complex and changing world, and this need for more training and time commitment conflicts with less flexibility from employers and a constant need to spend time with family; and

WHEREAS, these demands make it difficult to recruit and retain volunteers; and

WHEREAS, Representative Mark Hilton has recognized these needs and worked with volunteer fire and rescue groups to propose legislation that would grant active fire and rescue volunteers a \$3,000 income tax deduction.

NOW, THEREFORE, BE IT RESOLVED that the Catawba County Board of Commissioners respectfully requests the North Carolina House of Representatives to enact House Bill 1596.

This 17<sup>th</sup> day of June, 2002.

/s/ W. Steve Ikerd, Chairman

Catawba County Board of Commissioners

Commissioner Huffman made a motion to adopt the aforementioned resolution. The motion carried unanimously.

9. Attorneys' Report. None.

10. Manager's Report. None.

11. Other items of business:

- a. Resolution Levying The Third One-Half Cent (1/2¢) Local Government Sales And Use Tax And Prescribing The Method Of Distribution Of The Proceeds Within Catawba County.

Deputy County Manager Steve Wyatt said the 2001 Session of the General Assembly, in an effort to meet their budget deficit, enacted a special sales tax of ½ percent that is scheduled to sunset June 30, 2003, with the option for counties to pick that up after a public hearing is held and a resolution adopted to enact the sales tax. He said that would be a tradeoff for the reimbursements held by the state. Approximately 20 counties in the state have held public hearings and adopted resolutions. He said Chairman Ikerd, Commissioner Barnes and County Manager Lundy met with the mayors of Catawba County's cities and towns as well as school board superintendents and the president of the community college and have received unanimous support for the commissioners to hold a public hearing to consider the issue of implementing the sales tax which will sunset effective July 1, 2003.

County Attorney J. Thomas Lundy said another reason the Commissioners are being asked to take this action now is there are Bills that have been introduced into the General Assembly on a variety of possibilities, one being you could enact taxes as early as July 1 or August 1 if they took action on the budget. He said there is a lag period between the time you call for the hearing, have the hearing, notify the state, and until you get the revenues. The county would want to be prepared for any date whether July 1 a year from now or a month or two from now.

Commissioner Hunsucker asked if there was a hold harmless clause considering the economy?

Mr. Wyatt said the legislature as written includes a hold harmless clause to at least the level of reimbursement since the 90s.

Chairman Ikerd said unfortunately the General Assembly can change or take away.

Commissioner Barnes said we are looking at being able to maintain the amount of reimbursements we were used to receiving since the early 90s.

Commissioner Barnes made a motion to instructed staff to advertise for a public hearing for the enactment of a ½ sales tax to be brought back to Catawba County at the Board's regularly scheduled meeting on July 8, 2002. The motion carried unanimously.

12. Adjournment.

At 9:10 p.m., there being no further business to come before the Board, Commissioner Hunsucker made a motion to adjourn. The motion carried unanimously.

---

W. Steve Ikerd, Chairman  
Catawba County Board of Commissioners

---

Thelda B. Rhoney  
County Clerk